

REMARKS/ARGUMENTS

Applicant thanks the Examiner for his careful review of this application. Claims 1-37 have been rejected. Claims 38-122 have been canceled. Applicant respectfully requests reconsideration of the application in view of the following remarks submitted in support thereof.

Anticipation Rejections under 35 U.S.C. §102(e)

The Examiner has rejected claims 1-8, 12, 14-16, 18, 20, 23, 24, 27, 29-31, and 35-37 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,304,284 to Dunton et al. For the reasons put forth below, Applicant respectfully asserts that Dunton et al. fail to identically disclose each and every element of the claimed invention, as defined in independent claim 1.

Independent claim 1 defines a viewfinder displaying a second field of view and at least a portion of a first field of view at least partially composited with the second field of view. In support of the 35 U.S.C. 102(e) rejection, the Examiner noted that Dunton et al. teach “a proper amount of overlap between sequential images is being displayed on the LCD of the viewfinder” (see Final Office Action mailed November 20, 2003 at page 4). Applicant respectfully traverses the Examiner’s characterization in this regard because the portion of the reference relied upon by the Examiner (col. 8, lines 11-62) does not teach the viewfinder displaying the second field of view and at least a portion of the first field of view at least partially composited with the second field of view. As discussed in Applicant’s Amendment mailed September 4, 2003 at page 10, Dunton et al. merely teach various methods to “maintain the proper amount of overlap between sequential images” (col. 8, lines 25-27). Examples of methods to maintain the proper amount of overlap include arrows displayed in a

viewfinder and voice signal prompting the user to move the camera in a particular direction (col. 8, lines 13, 14 and col. 8, line 38). However, Dunton et al. do not disclose anywhere in the specification the viewfinder displaying a sequential image partially composited with another sequential image to maintain the proper amount of overlap. In fact, Dunton et al. mention the term “viewfinder” only once throughout the entire specification, and that portion of the specification only teaches “arrows displayed in the camera viewfinder” (col. 8, line 13). Since the portion of the reference relied upon by the Examiner merely discloses arrows displayed in the viewfinder, Dunton et al. cannot reasonably be considered to disclose or suggest to one having ordinary skill in the art the viewfinder displaying the second field of view and at least a portion of the first field of view at least partially composited with the second field of view, as defined in independent claim 1.

As Dunton et al. fail to teach each and every element of the claimed invention, Applicant respectfully submits that independent claim 1 is patentable under 35 U.S.C. § 102(e) over Dunton et al. Further, dependent claims 2-8, 12, 14-16, 18, 20, 23, 24, 27, 29-31, and 35-37, each of which directly or indirectly depends from independent claim 1, are submitted to be patentable under 35 U.S.C. § 102(e) over Dunton et al. for the reasons set forth above. As a result, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. 102(e) rejection.

Obviousness Rejections under 35 U.S.C. §103(a):

Claims 9-11, 25, and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dunton et al. Claims 13 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dunton et al. in view of U.S. Patent No. 6,144,804 to Inoue. Claims 17 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dunton et al. in view of U.S. Patent No. 6,256,058 to Kang et al. Claims 19 and 22 stand rejected under 35

U.S.C. §103(a) as being unpatentable over Dunton et al. in view of U.S. Patent No. 6,269,144 to Dube et al. Claims 32 and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dunton et al. in view of U.S. Patent No. 6,268,936 to Truc et al. Finally, claim 34 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Dunton et al. in view of U.S. Application Publication No. US2002/0175924 to Yui et al.

To establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations (M.P.E.P. §2143). As discussed above, Dunton et al. cannot reasonably be considered to disclose or suggest to one having ordinary skill in the art the viewfinder displaying a second field of view and at least a portion of a first field of view at least partially composited with the second field of view as defined in independent claim 1. Since dependent claims 9-11, 13, 17, 19-22, 25, 26, 28, and 32-34 directly or indirectly depend from independent claim 1, Applicant submits that the dependent claims are patentable under 35 U.S.C. §103(a) for the reasons set forth above. As a result, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. §103(a) rejection.

Conclusion

In view of the foregoing, the Applicant respectfully submits that all the pending claims 1-37 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 749-6900 ext. 6924. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ROXIP262). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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